2nd August 1965]

கனம் திரு. ஜி. பூவராகன் :

(அ).—

	25 அடிப் படகு.	30 அடிப் படகு.	மொத்தப் படகுகள்.
1962-63	14	36	50
1963-64	15	55	70

(இ).—

	1962-63	1963-64
தென் ஆர்க்காடு	3	11
இராமநாதபுரம்	4	6
கன்னியாகுமரி	13	18

(உ) (i) பயிற்சி பெற்றவர்களையே கொண்ட எல்லாத் தொகுதியினர்க்கும் இப் படகுகள் முற்றிலும் வழங்கப்படுகின்றன.

(ii) மீதமுள்ள படகுகளில் 50 சதவிகிதத்தைப் பயிற்சி பெற்ற இரண்டொருவர்களைக்கொண்ட தொகுதியினர்க்கு வழங்குகிறார்கள்.

(iii) இன்னொரு பகுதியை, மீனவர்த் தொகுதியினர் பதிவு செய்துகொண்டுள்ள வரிசைக் கிரமப்படி, அத் தொகுதியினரின் பயிற்சி பெற்றவர்கள் இருக்கிறார்களா என்று கவனிக்காமலேயே வழங்குகிறார்கள்.

திரு. எம். எத்திராஜுலு : மீன் பிடி தொழிலை ஏற்று நடத்தும் மீனவர்களுக்கு மட்டும் இந்தப் படகுகள் கொடுக்கப்படுகின்றனவா? இதே தொழிலை ஏற்று நடத்தும் பிற சமூகத்தவர்களுக்கும் கொடுக்கப்படுகிறதா?

கனம் திரு. ஜி. பூவராகன் : மீன்பிடி தொழிலில் ஈடுபட்டிருக்கும் சமூகத்தவர்களுக்கு தான் இது கொடுக்கப்படுகிறது.

திரு. எம். எத்திராஜுலு : இதர சமூகத்தார் இந்தப் படகை வைத்து மீன்பிடி தொழிலில் ஈடுபட்டிருக்கிறார்கள். அவர்களுக்கும் கொடுக்கப்படுமா?

கனம் திரு. ஜி. பூவராகன் : யார் யார் மீன்பிடி தொழிலில் ஈடுபட்டிருக்கிறார்களோ அவர்களுக்குக் கொடுக்கப்படுகிறது.

MR. CHAIRMAN : Questions are over.

[*Note.*— An asterist (*) At the commencement of a speech indicates revision by the Member.]

II.—PRESENTAION OF THE REPORT OF THE COMMITTEE OF PRIVILEGES ON "OBSTRUCTION CASE"

DR. A. LAKSHMANASWAMI MUDALIAR : Mr. Chairman, Sir, I beg to submit to the House the Report of the Committee of Privileges on the "Obstruction Case" that was referred to it. Ordinarily, Sir, it may not be necessary to say anything because the report has been in the hands of the hon. Members for some time. But this is the very first opportunity when such a case was

referred to the Privileges Committee in the Legislature of this State and I believe it is also the very first time such a Committee met and decided some broad issues. Therefore, with your permission, I wish to take a few minutes to explain the whole position.

As hon. Members are aware, on the 25th January 1965, an hon. Member of this House brought to the notice of the Chairman and Members that he was obstructed and prevented from coming to the Legislature by a group of persons who also manhandled him to a certain extent. The facts of the case have been mentioned by the hon. Member in his report to this House and the Committee went into details of it and were convinced that there was a clear case of obstruction of a member from the discharge of his duties as a legislator. Both from the evidence given by the hon. Member and a collague of his, and by the subsequent evidence given by others, who were invited to give evidence, it was made clear to the Privileges Committee that this was a serious matter of obstruction and the hon. Member was entirely justified in bringing it to the notice of this House.

The next question naturally was, whether it was possible to determine who were the persons or person responsible for this? The Committee took a good deal of time to investigate the matter, but unfortunately neither the hon. Member nor his colleague, who was present, nor any members who came and gave evidence, such as the driver and the conductor of the bus, or the police personnel concerned could definitely say who was the person or who were the persons concerned in this matter. Under those circumstances, the Committee felt that it would serve no useful purpose by trying to pursue the matter and trying to find out who wer responsible, because there was no recorded evidence in the Police report of the Station to suggest that such an incident took place or to say at least who were the persons or who was the person responsible. On the second ground, therefore, the Committee of Privileges came to the conclusion that they could not foist the blame on any person or persons, much less would it be reasonable at this stage to enquire into this matter and try to find it out in the absence of even the first information report of the Police.

Having come to that conclusion, the Committee of Privileges felt that there was not that amount of awareness that ought to be there with regard to what was meant by the priviliges of the Members or of the House. Apart from the public, who do not seem to have any such concept, even some of the Police were probably unaware of the entire incident and the offence that was committed by trying to prevent the Member from coming to this House. Therefore, they felt that it would be for the Government to issue necessary circulars to the effect not only to the Police Officers but to broadcast it to the public also that this a serious offence and will be aken note of by the House to give such punishment as it may determine.

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In regard to this matter, I wish to refer hon. Members to the Constitutional provision wherein so far as privileges are concerned, the manner in which any breach of privilege is to be treated, is stated. The Constitution says that the practice that is in existence in the Houses of Parliament in England should prevail unless changes are made in our own Constitution. To this day, therefore, Sir, after careful examination and after going into the pros and cons of the case and after going into the legal aspects including a judgment and the *obiter dicta* by the Chief Justice of the Supreme Court, the Committee came to the conclusion that at the present time the privileges that had been defined as the Privileges of the Houses of Parliament in England would continue to be the privileges for all Legislators whether they were in the Central Legislature or in the Provincial Legislatures, and therefore these privileges were very clearly defined and they should be adopted. I think on that basis we ought to congratulate ourselves. The same privileges would continue to be extended to all Members of the Legislature irrespective of whether they belong to any one of the Houses or whether they belong to this party or that party. So long as they are Members representing the public and they come to the Legislature, their privileges are to be assured.

The next point was therefore to consider how the Parliament protected the Members in these privileges. I have already stated that there is a necessity for making the authorities concerned—the police and others and the public—*aware* that a Member of the Legislature is not to be trifled with and it will be a grave breach of privilege of the House and the Member, and that it will have to be brought to the House concerned for such punishment as may be indicated.

In the Houses of Parliament they have enacted owing to their experience that when the Houses are in session, certain area must be demarcated where it will not be possible for anybody to go and obstruct a Member of the House. In London it is one mile radius from the Houses of Parliament, and certain frequented places of public resort are exempted. The Committee, therefore, took up the question as to what should be the area so far as this Legislature is concerned so long as this Legislature functions in this particular place. Hon. Members are already aware that this House has passed a Resolution as to what constitutes the precincts of the Legislature for other purposes. They decided that a certain area must be demarcated which will be right up to Reserve Bank on the North and right up to the War Memorial in the South and to the Band Practice Road including the bridge there. For the present, they felt that it would be quite reasonable to have this area demarcated, and at any time when the Legislature in session, the Legislature Office is bound to inform the Commissioner of Police, and it will be his responsibility to see that it is kept more or less on guard to protect any of these Members coming in. Moreover apart from this, when the Legislature is in session there is a rule in

Parliament that only a certain number of persons are allowed inside to present petitions. No mob can rush into the House to present a petition when the House is in session, as that would undoubtedly mean that a certain amount of pressure politics is being resorted to. Therefore, the Committee also felt that there must be a reasonable restriction with regard to the number of persons that can come and present a petition. The Committee did not want to interfere with the ordinary routine duties of the individual, but it felt that as it was taking up the matter for the first time, it should make it very clear what will be the privileges of
3·30 p.m. the House and in what way they should be protected and to what extent limitations on the public should be enforced to see that the privileges of Legislators are maintained. I can also say that so far as the Houses of Parliament are concerned, they went through a long period of struggle both with the King and with the other parties, and it was only then that they came to this conclusion that no legislator should be molested in the discharge of his duties. We have not come to that stage fortunately. I hope this report of the Privileges Committee will enable us to see that our legislators function properly.

Sir, I have the privilege of presenting this report to the House.

II. GOVERNMENT RESOLUTION.

CONSTITUTION OF THE AMBATTUR TOWNSHIP.

THE HON. SRI S. M. A. MAJID : Mr. Chairman, Sir, I move the resolution standing in my name, namely,—

'That in pursuance of sub-section (1) of section 4 of the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958), the House do resolve that the area covered by the Ambattur Panchayat town and the surrounding five panchayat villages of Athipattu, Patravakkam, Padi, Korattur, and Mogappair in the Chingleput district, which is an industrial area, be declared to be a Township'.

Sir, Ambattur Town and its surrounding areas have in recent times developed into an industrial colony. In view of the phenomenal growth of industries, the area requires a special administrative agency for purposes of providing amenities. The Government, therefore, propose to constitute a township for Ambattur Panchayat Town and the surrounding Panchayat villages of Athipattu, Patravakkam, Padi, Korattur and Mogappair, under Section 4 of the Madras Panchayats Act, 1958, treating the area as an industrial colony. The township can be expected to administer the area better than the concerned panchayats. Notifications regarding the constitution of the Township will be placed on the table of the Legislative Council in due course.